

CITY OF CARLSBAD

COUNCIL POLICY STATEMENT

DATED: October 5, 2010

	Page 1 of 3
Policy No.	75
Date of Issue:	10-5-10
Effective Date	10-5-10
Cancellation Date	
Supersedes No.	75 dated 5-19-09

Subject: City Government Channel Policy

Copies to: City Council, City Manager, City Attorney, Department Heads and Division Heads, Employee Bulletin Boards, Press, File

PURPOSE:

This policy is to define the purpose, goals, objectives and programming priorities for the city government channel (currently Time Warner 24/126, collectively "channel" and future channels provided by AT&T and future video service providers), CBTv. This policy includes guidelines for accepting content from other government agencies and the allocation of channel time. The proposed City Council policy will grant authority to the City Manager or his/her designee for overall operations, programming activities and program scheduling.

BACKGROUND:

In 2006 the passage of the state franchise law Digital Infrastructure and Video Competition Act of 2006 (DIVCA) changed some requirements for local cable companies, such as Time Warner Cable. On January 1, 2008, DIVCA became effective and created a statewide franchising process for the delivery of video services, shifted customer service to local entities, and changed public education and government (PEG) access requirements and support. Effective January 1, 2009, Time Warner Cable's duty to support PEG channel facilities shifted to local PEG channel operation. This meant the city took over responsibility for producing City Council meetings. Additionally the city is also responsible for programming a city government channel, currently designated on the Time Warner system as 24/126. AT&T and future video service providers are also required to make the necessary technical arrangements to carry the city's government channel and to abide by the channel policy.

POLICY:

It shall be the policy of the city's channel to provide government programming of interest to the residents of Carlsbad concerning the functions, activities, programs and issues of the city and to facilitate the community's ability to learn about and participate in city government. Live and recorded programming will be used when available for playback. Candidates' forums or debates may be allowed for the purpose of informing residents about declared candidates for City of Carlsbad elective office.

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The objectives of the city's government channel are as follows:

- To inform the Carlsbad community about city issues, programs and services.
- To explain the opportunities for and encourage community participation in city decision making.
- To provide other governmental agency programming relating to city issues or city residents, produced in accordance with City of Carlsbad guidelines.
- To playback candidate forums/debates consistent with this policy.

Programming viewed on the city's government channel must fall into one or more of the following programming categories. The programming categories are listed in order of priority:

1. **Emergency** - Live, taped, or text and graphics programming shown at any time, as emergency dictates, to disseminate emergency instructions and critical safety information to the public and to provide accurate and complete information regarding emergency incident cause, size, status, impact and resource commitments. The City Manager or his/her designee shall approve the content and scheduling of any emergency programming. In the case of an emergency, regularly scheduled programming maybe interrupted or canceled.

2. **Government Meetings/Hearings/Events** - City Council meetings are intended, to the extent possible, to be aired gavel-to-gavel without editing or editorial comment. Some public meetings, city functions and special events will be recorded and edited for length for airing at times convenient to the viewing public.

3. **City Services and Community Benefits** - Programming that provides information about city government services and projects.

4. **Other Government Agency Programming** - Other government agency programming relating to city issues or city residents, produced in accordance with these guidelines, including special districts, county, state and federal agencies, relating to non-partisan programs or information concerning government services or activities regarding their respective level of government's response to community issues of local concern.

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5. **Candidates Forums or Debates** - Playback of a candidate forum/debate may be allowed if the organization sponsoring the forum/debate complies with the following conditions:
- a. The sponsoring organization shall request playback on the city government channel of a candidates' forum/debate in writing to the City Manager no fewer than 60 days prior to the election. The request shall include a statement that the organization will comply with the provisions in this policy.
 - b. The forum/debate shall not exceed two hours.
 - c. All legally declared candidates for the office(s) included in the forum/debate shall be invited.
 - d. The sponsoring organization shall be nonpartisan and shall not endorse any candidate(s) during the election period that starts with the filing deadline and ends the day after Election Day.
 - e. Equal time shall be scheduled for each candidate during the forum/debate.
 - f. Forums shall be held at a time that does not conflict with regularly scheduled meetings of the Carlsbad City Council or its boards and commissions.
 - g. The sponsoring organizations requesting playback must produce the forum/debate according to the technical specifications for the City of Carlsbad government channel, cover all costs associated with producing the forum/debate, and ensure all candidates can be seen and heard clearly.
 - h. Only pre-recorded programs will be considered. Live coverage will not be allowed.
 - i. The content of the forum/debate must be informational in nature and may not include advocacy for or against a particular candidate or advocacy for or against a particular ballot measure.
 - j. The forum/debate must be open to the public, free of charge.
 - k. A maximum of two candidate forums/debates shall be played on the City of Carlsbad government channel for each election. In the event that there are more than two qualifying requests to playback candidate forums, the two requests to be selected shall be drawn by lot by the City Manager at a City Council meeting.
 - l. When scheduling the playback of candidate forums/debates, the City Manager or his/her designee will do her/his best to provide playback on a similar day, at a similar time and under similar conditions, but with no guarantee of being able to match playback conditions exactly. A fee will be charged to cover all costs associated with preparation and scheduling of programming for playback.

This policy delegates to the City Manager the authority to adopt an administrative order to implement and carry out the provisions of this policy.

EFFECTIVE DATE:

This policy is effective immediately upon adoption. Since the date of this policy is fewer than 60 days from the next election (November 2, 2010), for the November 2, 2010, election only, the City of Carlsbad will accept requests for playback of candidate forums/debates up to 25 days prior to the election.



Item #6

All Receive
For the Information of the:
CITY COUNCIL

ACM DCM CA CC
Date 10/4 City Manager

www.carlsbadca.gov

Memorandum

October 4, 2010

To: Lisa Hildabrand, City Manager
From: Kristina Ray, Communications Manager
Re: Errata for Agenda Bill Item No. 6 – Revise Council Policy #75 – City Government Channel Policy

To correct a typographic error on page 3 of the proposed revisions to Council Policy #75, staff recommends that the effective date of the Policy be modified as follows:

EFFECTIVE DATE:

This policy is effective immediately upon adoption. Since the date of this policy is fewer than 60 days from the next election (November 2, 2010), for the November 2, 2010, election only, the City of Carlsbad will accept requests for playback of candidate forums/debates up to 25 days prior to the election.

Thank you.

KR/src

Attachment

Date: 10/4/10

Distribution:

City Clerk	<u>✓</u>
Asst. City Clerk	<u>✓</u>
Deputy Clerk	<u>✓</u>
Book	<u>✓</u>



City Hall

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